

REMARKS/ARGUMENTS

Claims 1-5, 8 and 10 are pending herein. Claims 6, 7 and 9 have been cancelled without prejudice or disclaimer. Claim 1 has been amended hereby. New claim 10 has been added hereby as supported, for example, by paragraphs [0014], [0029], [0032], [0034] and [0045] of the substitute specification filed on February 14, 2006. Applicants respectfully submit that no new matter has been added.

1. Claims 6 and 7 have been withdrawn as being drawn to a non-elected invention, and have been cancelled hereby without prejudice or disclaimer. Applicants presently intend to file a divisional application for the non-elected claims, and thus reserve the right under 35 USC §121.

2. Applicants respectfully request that the PTO hold in abeyance the rejection of claims 1-5 and 8 under the judicially created doctrine of obviousness-type double patenting over claims 1-4 of U.S. Patent No. 6,936,560 until the art rejections have been overcome.

3. Claims 1-5, 8 and 9 were rejected under §103(a) over Lai. Applicants respectfully submit that this rejection is moot with respect to claim 9 in view of the cancellation of that claim, and respectfully traverse this rejection with respect to pending claims 1-5 and 8.

Independent claim 1 recites a laminated zeolite composite *consisting of* a MFI membrane comprising a MFI type zeolite and having a $\text{SiO}_2/\text{Al}_2\text{O}_3$ (molar ratio) of 40 to 100 and a porous substrate comprising a MFI type zeolite and having a $\text{SiO}_2/\text{Al}_2\text{O}_3$ (molar ratio) of 20 to 400, wherein the MFI membrane is formed on the porous substrate.

Rewritten independent claim 1 recites the claimed laminated zeolite composite using "consisting of" transitional language. Accordingly, the claimed structure is limited to only that which is recited in claim 1 (see MPEP 2111.03). Applicants

respectfully submit, however, that there is no disclosure or suggestion in Lai of a laminated zeolite composite consisting only of the two zeolite layers recited in claim 1.

Applicants respectfully submit that one skilled in the art would readily understand that the zeolite membranes in Lai are not self-supporting and require the support and presence of the alumina substrates disclosed therein during both formation and use based on the disclosure in Lai. That is, Applicant respectfully submits that Lai does not disclose or suggest any structure that includes only two zeolite layers, without also necessarily including a support. Applicant respectfully submits that since the multi-layered structures in Lai necessarily include more than just two zeolite membrane layers, the structures of Lai are clearly outside the scope of rewritten independent claim 1.

Moreover, Applicants respectfully submit that Lai does not even disclose the claimed MFI zeolite porous support. That is, the zeolite films in Lai are instead formed on porous *alumina substrates*. Further, Lai does not disclose or suggest a MFI type zeolite porous substrate having the $\text{SiO}_2/\text{Al}_2\text{O}_3$ (molar ratio) of 20 to 400 recited in claim 1. Applicants also submit that the present specification includes data that specifically shows the unexpected results attributed to the claimed $\text{SiO}_2/\text{Al}_2\text{O}_3$ molar ratios, as outlined in the Amendment filed on February 14, 2006, the entirety of which is incorporated herein by reference.

For at least the foregoing reasons, Applicants respectfully submit that all claims pending herein define patentable subject matter over the art of record and respectfully request that the above rejection be reconsidered and withdrawn.

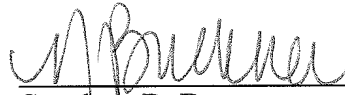
If the Examiner believes that contact with Applicants' attorney would be advantageous toward the disposition of this case, the Examiner is herein requested to call Applicants' attorney at the phone number noted below.

The Commissioner is hereby authorized to charge any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-1446.

Respectfully submitted,

July 31, 2006

Date



Stephen P. Burr

Reg. No. 32,970

Nicole J. Buckner

Reg. No. 51,508

SPB/NB/gmh

BURR & BROWN

P.O. Box 7068

Syracuse, NY 13261-7068

Customer No.: 025191

Telephone: (315) 233-8300

Facsimile: (315) 233-8320